

in the United States Patent & Trademark Office

Appl. No. :10/828,520  
Applicant :Fell *et. al.*  
Filed :04/06/2004  
TC/A.U. :1744  
Examiner :Bowers, Nathan Andrew

Docket No. :ARL 04-06 Fell  
Customer No. :21364  
Confirmation No. :4315

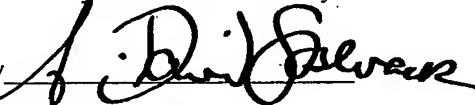
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**PETITION TO ACCEPT AN AFFIDAVIT WITH A COLOR CHART**

Applicants in the above designated application respectfully request that the Commissioner accept the color chart on page two (2) of the Declaration in Support of Response to OA of 08/08/2006 in color and provide it to the Examiner so the Examiner can properly review the evidence in the supporting declaration. Color is necessary because the chart is a trace from equipment and the color distinguishes between four (4) different traces that are clearly discernable in color. In black and white, the distinction between the four (4) different traces is lost or blurred. The color is necessary to understand the Declaration. Applicants respectfully request this Petition be granted.

Applicants' Attorney can not determine whether a fee is due so the fee is not paid immediately. The Director is hereby authorized to charge any additional fees or underpayments under 37 C.F.R. § 1.16 & 1.17; and credit any overpayments to Deposit Account No. 19-2201 held in the name of U.S. Army Materiel Command.

Respectfully submitted,  
Intellectual Property Counsel  
U.S. Army Research Laboratory

By 

A. David Spevack  
Reg. No. 24,743  
Tel.: 301-394-1714  
FAX: 301-394-3972  
e-mail: [dave.spevack@us.army.mil](mailto:dave.spevack@us.army.mil)

ATTN:  
Army Research Laboratory  
AMSRD-ARL-0-CC-IP  
2800 Powder Mill Road  
Adelphi, Maryland 20783-1197

16 November 2006